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Attorneys for Plaintiff
Shamaneen Khan

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Shamaneen Khan,

Plaintiff,

VS.

The Permanente Medical Group, Incorporated, A California Corporation; SEIU United Healthcare Workers-West, a California Corporation and DOES 1-50, inclusive,

Defendants.

Case No.: C08-01783 WHA

DECLARATION OF EUGENE T. FRANKLIN IN SUPPORT OF PLAINTIFF'S REQUEST FOR ATTORNEYS' FEES
[28 USC § 1447(c)]

Date: May 29, 2008
Time: 8:00 a.m.
Judge: William H. Alsup
Courtroom: 9, 19th Floor
[Date scheduled for Motion to Dismiss]

Date: June 19, 2008
Time: 8:00 a.m.
Judge: William H. Alsup
Courtroom: 9, 19th Floor
[Date set for Plaintiff's Motion to Remand]

Complaint Filed: March 7, 2008
Removed: April 3, 2008

I, Eugene T. Franklin declare:

1. I am an attorney duly licensed to practice law in all of the court of the State of California, and I am admitted to practice before the United States District Court, Northern District of California. I am the attorney of record for plaintiff, Shamaneen Khan in the instant action. All of the matters set forth herein are personally known to me; and, if called as a witness, I would and could competently testify thereto.

2. I received a Bachelor of Science degree in 1981 from Golden Gate University. I received a Juris Doctor degree from The Boalt Hall School of Law at the University of California in 1985. I became a member of the California State Bar in 1986.

3. I have practiced law in California since 1986. From 1986 until 1990, I was a deputy district attorney in Alameda County. I have been in private practice since 1990, and I have been representing plaintiffs in employment discrimination and wrongful termination litigation since 1991.

4. I am a member of the National Employment Lawyers Association (NELA), and the California Employment Lawyers Association (CELA) and the California Trial Lawyers' Association. I have given CLE accredited lectures about employment discrimination, including sexual harassment at Hayward Bar Association and at CELA conferences.

5. As a result of my experience, I am aware of the prevailing hourly rates which are being charged by knowledgeable and experienced attorneys in the field of employment law in the San Francisco Bay Area. Experienced employment lawyers' fees range from approximately \$250 per hour at the low end of the scale to approximately \$450 per hour at the high end of the scale. Attorneys with experience comparable to mine charge their hourly fee at the rate of \$400.00 to approximately \$450.00.

6. Attached are filed copies of the declarations of attorneys Michael Loeb, Phil Horowitz and Deborah Kochan. See exhibits "A," "B" and "C." (All exhibits are being submitted under separate cover) These declarations were provided to me in support of an earlier motion for attorneys' fees in the sexual harassment case of *Parnala v. Plycon Transportation Group, et al.* Case No.: HG 04-189040 (Alameda County Superior Court). The attached copies of attorneys' declarations are incorporated herein by this reference.

7. Judge Frank Roesch of the Alameda County Superior Court awarded plaintiff Parnala \$99,825. My hourly fee, as submitted to Judge Roesch was \$350.00 per hour. See exhibit "D," a copy of Judge Roesch's order dated July 5, 2006.

8. I spent sixty (50) hours conducting legal research, writing and editing plaintiff's motion for remand and opposition to defendant UHW's motion to dismiss. My normal and customary billing

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1 rate is \$350.00 per hour. Therefore, plaintiff request \$17,500.00 as reasonable attorney's fees.

2 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
3 correct.

4 Date: May 6, 2008

/s/

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6 EUGENE T. FRANKLIN
7 Attorneys For Plaintiff
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